

REQUEST FOR COUNCIL ACTION

MEETING 27

DATE: 7/21/03

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| AGENDA SECTION: Consent Agenda | ORIGINATING DEPT: City Clerk | ITEM NO. D-7 |
| ITEM DESCRIPTION: Amend Chapter 125A.03, Subd. 5, on Limitations On the Number of Intoxicating Liquor Licenses Issued to One Person | | PREPARED BY: Judy Scherr |

Chapter 125A, Subd. 5 of the Rochester Code of Ordinances does not reflect the limitations on ownership of Off-Sale Liquor Licenses to only person in accordance with State Law. The attached draft of the ordinance will comply with the requirement.

Our current ordinance states that no more than three On-Sale Restaurant Liquor Licenses can be issued to more than one person directly or indirectly. The current ordinance does not allow for an on-sale business to hold a combination of on-sale licenses; i.e., two restaurant and one exclusive (street bar) license. We currently have several businesses with an exclusive license that express interest in obtaining restaurant licenses as well. We do have one business with an on-sale restaurant license that has made application for and been approved for an exclusive license.

The current ordinance should be amended to allow for no more than three (3) On-Sale Intoxicating Liquor Licenses issued to one person, directly or indirectly, and that one of these can be an exclusive (street bar) license. However, there can be no more than one exclusive (street bar) issued to any one person, directly or indirectly.

COUNCIL ACTION REQUESTED

A motion to approve the amendments to Chapter 125A, Subd. 5 on Off-Sale and On-Sale Intoxicating Liquor License limitations and direct the City Attorney to prepare the required ordinance for adoption.

COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____

